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BEFORE THE DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
OF THE DEPARTMENT OF COMMERCE
OF THE STATE OF UTAH

IN THE MATTER OF THE LICENSE OF)	
ERIC JOHN HANSON)	STIPULATION AND ORDER
TO PRACTICE AS A)	
PSYCHOLOGIST)	CASE NO DOPL 2011- 268
IN THE STATE OF UTAH)	

ERIC JOHN HANSON ("Respondent") and the **DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING** of the Department of Commerce of the State of Utah ("Division") stipulate and agree as follows

1 Respondent admits the jurisdiction of the Division over Respondent and over the subject matter of this action

2 Respondent acknowledges that Respondent enters into this Stipulation knowingly and voluntarily

3 Respondent understands that Respondent has the right to be represented by counsel in this matter and Respondent's signature below signifies that Respondent has either consulted with an attorney or Respondent waives Respondent's right to counsel in this matter

4 Respondent understands that Respondent is entitled to a hearing before the State of Utah's Psychologist Licensing Board ("Board"), or other Division Presiding Officer, at which time Respondent may present evidence on Respondent's own behalf, call witnesses, and confront adverse witnesses Respondent understands that by signing this document Respondent hereby waives the right to a hearing, the right to present evidence on Respondent's own behalf, the right to call witnesses, the right to confront adverse witnesses, and any other rights to which Respondent may be entitled in connection with said hearing Respondent understands that by *signing this document Respondent hereby knowingly and intelligently waives the right to all administrative and judicial review as set forth in Utah Code Ann §§ 63G-4-301 through 63G-4-405, and Utah Administrative Code R151-46b-12 through R151-46b-15* Respondent and the Division hereby express their intent that this matter be resolved expeditiously through stipulation as contemplated in Utah Code Ann § 63G-4102(4)

5 Respondent waives the right to the issuance of a Petition and a Notice of Agency Action in this matter

6 Respondent acknowledges that this Stipulation and Order, if adopted by the Division Director, will be classified as a public document The Division may release this Stipulation and Order, and will release other information about this disciplinary action against Respondent, to other persons and entities

7 Respondent admits the following facts are true

- a Respondent was first licensed as a psychologist in the State of Utah on or about July 25, 1990
- b On or about January 28, 2010 Respondent was cautioned by the Division because he displayed several hundred pictures of adolescent clients on his office walls without written authorization from each of the clients and the client's parents. As of July 5, 2011 Respondent had not removed the pictures and had no written authorizations from any of the clients or the parents
- c On about January 28, 2010 Respondent was cautioned by the Division for driving adolescent clients in his personal vehicle to get drinks, meals, and run errands during clinical sessions
- d On about July 5, 2011 Respondent told a Division investigator that he drove a male client in his personal vehicle to get lunch once, and to get a drink three or four times
- e Respondent reported that he has given approximately 2,000 of his adolescent clients a two dollar bill and other gifts
- f From on or about October 22, 2009 to about December 18, 2009, Respondent provided mental health therapy to a fourteen year old boy, hereinafter referred to as John Doe
- g On about December 18, 2009, during a therapy session, Respondent and John Doe drove in Respondent's personal vehicle to pick up John Doe's Christmas gift, which was a DVD entitled "Murder in New Hampshire." The front cover of the DVD stated "Their Sex Games Know No Boundaries," and the back cover described the movie as "a true story about a teacher who seduces a student and then asks him to kill for her to prove his love." Respondent reported that the video was meant for an adult client, and was mistakenly given to John Doe
- h During a clinical session in about December 2010, Respondent physically picked up John Doe to see how much he weighed. John Doe fell on Respondent's lap, and Respondent tickled John Doe
- i Between October 2010 and December 2010 Respondent gave John Doe several gifts, including a sweatshirt, an old coin, a two dollar bill, candy and the Christmas DVD, some of which were "transitional objects" and some rewards for achievement of short-term behavioral goals

- j Respondent has given most all of his adolescent clients Christmas gifts of value
- k During Respondent's private practice, since about 1995, on numerous occasions, Respondent has driven adolescent clients in his personal vehicle to get "rewards," such as drinks and meals, for reaching treatment goals, and has permitted the clients to pick out gifts Respondent failed to document the progress and interventions of the patients in the clinical file that resulted in the "rewards "
- l During Respondent's private practice, since about 1995, on numerous occasions, Respondent provided mental health therapy to adolescent clients in Respondent's personal vehicle while driving to and from Respondent's personal errands
- m On about January 28, 2010 Respondent was directed by the Division to develop a peer support system regarding multiple boundary issues with adolescent client, however, Respondent has so far failed to do so
- n From about 2009 until about March 2011, Respondent engaged in a clinical relationship with a male client, hereinafter referred to as John Roe
- o On two occasions in 2011 and one occasion in 2010, during clinical sessions, Respondent drove John Roe in Respondent's personal vehicle to a restaurant and convenience stores
- p In about January 2011 Respondent visited John Roe at Roe's place of business and met his supervisor
- q In about 2011 Respondent commissioned John Roe to produce art work for Respondent
- r John Roe observed Respondent's prescription bottle, and learned that Respondent was prescribed the same controlled substance as Roe
- s Respondent has ingested prescribed drugs, including controlled substances, during sessions with adolescent clients
- t During an interview with the Division investigator in about January 2010, Respondent violated client confidentiality when Respondent told the Division investigator that the Division investigator's relative was Respondent's client

8 Respondent admits that Respondent's conduct described above is unprofessional conduct as defined in Utah Code Ann § 58-1-501(a) and (b), § 58-61-502(1)(c), Utah

Administrative Code R156-61-502(1), (5), (6), (7) and (12), and Principles 3 05, 4 01, 4 04, and 4 05 of the Ethical Principles of Psychologists and Code of Conduct of the American Psychological Association, and that said conduct justifies disciplinary action against Respondent's license pursuant to Utah Code Ann § 58-1-401(2)(a) Respondent agrees that an Order, which constitutes disciplinary action against Respondent's license by the Division pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann § 58-1-401(2), shall be entered in this matter as follows

- (1) Respondent's license shall be revoked The revocation of Respondent's license shall be immediately stayed and Respondent's license shall be subject to a term of probation for a period of three years The period of probation shall commence on the effective date of this Stipulation and Order, which is the date the Division Director signs the Order During the period of probation, Respondent shall be subject to all of the following terms and conditions If the Board or Division later deems any of the conditions unnecessary such deletions may be made by an amended order issued unilaterally by the Division
 - (a) **Meetings with the Board** Respondent shall meet with the Board and Division at the first scheduled Board meeting after the signing of the accompanying Order and on a quarterly basis thereafter, or at other greater or lesser frequency as determined by the Board and Division, for the duration of the probationary period thereafter to assess the progress of Respondent's probation At least one week prior to Respondent's first meeting with the Board Respondent shall submit to the Division a written plan for complying with the requirements of Respondent's probation, including the name(s) of Respondent's proposed therapist and supervisor Respondent shall contact Division Compliance Specialist Ronda Trujillo within two weeks of the effective date of this Order to schedule a meeting for the purpose of discussing the terms of the Order An appointment with Ms. Trujillo can be scheduled by contacting her by phone at (801) 530-6128 or by email at rtrujillo@utah.gov
 - (b) **Supervision Required** Respondent shall practice only under the supervision of a Division and Board pre-approved supervisor during the term of Respondent's probation Any changes in supervision may be made only with the consent of the Division and Board Respondent shall deliver a copy of this Order to Respondent's supervisor (within ten days of the

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establishment of the supervisory relationship) and cause Respondent's supervisor to notify the Division in writing that a copy has been received

- (c) **Extent of Supervision** Respondent shall meet weekly with Respondent's supervisor, or at a frequency otherwise directed by the Division and Board. Supervision goals shall include concurrent management and oversight of therapeutic intervention services, and professional relationships and practices. The supervisor shall sit in on, videotape, or audio tape, at least two clinical sessions per month. The supervisor shall choose which clinical sessions to sit in on, videotape, or audio tape. The supervisor shall review 20% of Respondent's current patient files. The supervisor shall choose which files shall be reviewed.
- (d) **Self-employment.** If Respondent ~~shall~~ ^{ESH} is self-employed in private practice, Respondent shall submit a copy of this Stipulation and Order to any entity with whom Respondent has a contract to provide a professional service of any type. If Respondent is self-employed, Respondent shall hire a supervisor, who is pre-approved by the Division and Board.
- (e) **Duties of Supervisor** The supervisor shall oversee clinical interventions and review records. The supervisor shall also address issues pertaining to confidentiality, boundary violations, dual relationships, transference and counter-transference, and other issues the supervisor determines are pertinent to ethical practice.
- (f) **Supervisor Reports** Respondent shall cause Respondent's supervisor to submit reports to the Board and Division assessing Respondent's compliance with the terms of Respondent's probation and ethics. The reports shall be submitted monthly for the first six months and quarterly thereafter, or at such frequency as directed by the Board and Division. The receipt of an unfavorable report may be considered to be a violation of probation.
- (g) **Supervisor Reports if Respondent Not Employed.** If Respondent is not currently employed in Respondent's licensed profession, Respondent shall submit the supervisor report form on the date it is due and indicate on the form that Respondent is not currently employed in Respondent's licensed profession, or that Respondent is not currently working.
- (h) **Neuropsychological and Psychological Evaluations.** Respondent shall successfully complete neuropsychological and psychological evaluations provided by a Division-approved licensed provider within ninety (90) days of the effective date of this Stipulation and Order. Respondent shall

schedule the initial appointment to be held within 45 days of the effective date of this Stipulation and Order Respondent shall attend all appointments and follow-up appointments in a timely manner Respondent shall cooperate fully with the evaluator to ensure a fair and complete evaluation Respondent shall notify the Division immediately after successfully completing the evaluations and inform the Division that Respondent has successfully completed the evaluations

- (i) **Ongoing Therapy and Release of Information.** Respondent shall attend any therapy recommended in any evaluation report until the Division or Board decides otherwise Respondent shall successfully complete any therapy or treatment recommended by the neuropsychological and psychological evaluation reports in a timely manner Respondent shall follow any treatment recommendations made by the evaluator, the Division, and/or Board Respondent shall execute any necessary releases to allow the therapist to provide reports to the Division and Board regarding Respondent's progress Respondent's therapy should focus on the areas of concern identified by the evaluator Respondent shall cause progress reports to be submitted to the Division and Board by the therapist on a quarterly basis, or at a greater or lesser frequency as determined by the Division and Board Respondent shall be responsible for all treatment expenses
- (j) **Continuing Education.** Respondent shall successfully complete ten hours of continuing professional education focused on professional ethics, boundaries, confidentiality, and dual relationships All courses shall be pre-approved by the Division and Board Respondent shall submit documentation to the Division and Board verifying that Respondent has successfully completed the courses The courses shall be completed within one year of the effective date of this Stipulation and Order The courses shall not count toward Respondent's regular continuing education requirement, if any
- (k) **Essay.** Respondent shall submit a 500 word essay to the Division and Board addressing how the American Psychological Association Code of Ethics and applicable Utah law apply to Respondent's violations The essay shall also address lessons learned from the continuing education courses described in subparagraph (j) above The essay shall be submitted within 30 days of Respondent successfully completing the continuing education courses described in subparagraph (j) above
- (l) Respondent shall notify the Division and Board within one (1) week of any change of employer or employment status This is required regardless

of whether Respondent is employed in Respondent's licensed occupation
The notification shall be in writing

- (m) Respondent shall limit Respondent's practice in accordance with the terms of probation, unless the Division and the Board authorize changes
- (n) In the event that Respondent leaves Utah for a period longer than 60 days, Respondent shall notify the Division and the Board in writing of the dates of departure and return. The licensing authorities of the jurisdiction to which Respondent moves must be promptly notified of the provisions of this Stipulation and Order. Periods of residency or practice outside Utah may apply to the reduction of the probation period if the new state of residency places Respondent's license on probation with equal or greater terms and conditions
- (o) **Periods of Unemployment in Profession** Periods of unemployment or employment in other fields of practice shall be reported by Respondent to the Division and shall not count toward completion of probation. Should Respondent not be employed in Respondent's licensed occupation during Respondent's probationary period for a consecutive period of more than sixty (60) days, that period shall not apply to the reduction of probation, though the terms of probation shall remain applicable. If the Respondent works less than full-time in Respondent's licensed occupation, the reduction of any remaining probationary time shall occur on a pro-rata basis, in relation to a full-time position of 40 hours worked per week
- (p) Should other acts of unprofessional conduct come to the attention of the Division or Board which have occurred prior to the entry of the Order in this case or should Respondent violate probation in any respect, the Division may, in addition to taking action as provided for herein, after giving Respondent notice and the opportunity to be heard, revoke probation or impose sanctions in accordance with applicable law
- (q) **Change of Address** Respondent shall immediately notify the Division, in writing, of any changes in private or professional address and agrees that written communication by the Division and/or the Board shall be mailed to Respondent at the last address provided to the Division via first class U S Mail, and shall constitute notice to Respondent
- (r) Failure to pay for any of the costs associated with this probation shall be considered a violation of this Order. Respondent further agrees to complete all conditions of probation in a timely manner. Where a specific time for completion is not stated in this Order, it shall be within the

Division and Board's discretion to set a time for completion

- (s) Respondent agrees to keep Respondent's Utah license current during the period of probation
- (t) Respondent shall notify the Division immediately if Respondent is charged or arrested with any criminal conduct and understands that a conviction is a violation of this agreement
- (u) **Timely Submitting of Reports** Respondent shall submit reports on the date they are due and shall appear at scheduled meetings with the Division and Board promptly. Failure to do so shall be considered a violation of this Stipulation and Order
- (v) Respondent shall notify any employer, facility, practice associate, or contractor, with whom Respondent has any professional association, of the terms and conditions of this Stipulation and Order by providing them with a copy of this Stipulation and Order

9 This Stipulation and Order, upon approval by the Division Director, shall be the final compromise and settlement of this non-criminal administrative matter. Respondent acknowledges that the Director is not required to accept the terms of this Stipulation and Order and that if the Director does not do so, this Stipulation and the representations contained therein shall be null and void, except that the Division and Respondent waive any claim of bias or prejudgment they might otherwise have with regard to the Director by virtue of the Director having reviewed this Stipulation, and this waiver shall survive such nullification.

10 Respondent agrees to abide by and comply with all applicable federal and state laws, regulations, rules and orders related to the Respondent's licensed practice. If the Division files a Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has violated any of the terms and conditions contained in this Stipulation and Order, the period of Respondent's probation shall be tolled during the period

that the Petition or Order to Show Cause Petition has been filed and is unresolved

11 This document constitutes the entire agreement between the parties and supersedes and cancels any and all prior negotiations, representations, understandings or agreements between the parties regarding the subject of this Stipulation and Order. There are no verbal agreements that modify, interpret, construe or affect this Stipulation. Respondent agrees not to take any action or make any public statement, that creates, or tends to create, the impression that any of the matters set forth in this Stipulation and Order are without factual basis. A public statement includes statements to one or more Board members during a meeting of the Board. Any such action or statement shall be considered a violation of this Stipulation and Order.

12 The accompanying Order becomes effective immediately upon the approval of this Stipulation and signing of the Order by the Division Director. Respondent shall comply with all the terms and conditions of this Stipulation immediately following the Division Director's signing of the Order page of this Stipulation and Order. Respondent shall complete all the terms and conditions contained in the Stipulation and Order in a timely manner. If a time period for completion of a term or condition is not specifically set forth in the Stipulation and Order, Respondent agrees that the time period for completion of that term or condition shall be set by the Board and Division. Failure to complete a term or condition in a timely manner shall constitute a violation of the Stipulation and Order and may subject Respondent to revocation or other sanctions.

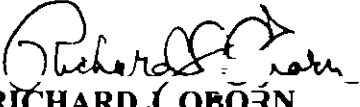
13 If Respondent violates any term or condition of this Stipulation and Order, the Division may take action against Respondent, including imposing appropriate sanction, in the manner provided by law. Such sanction may include revocation or suspension of Respondent's

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license, or other appropriate sanction. If the Division files a Petition alleging that Respondent has engaged in new misconduct or files an Order to Show Cause Petition alleging that Respondent has violated any of the terms and conditions contained in this Stipulation and Order, the period of Respondent's probation shall be tolled during the period that the Petition or Order to Show Cause Petition has been filed and is unresolved.

14 Respondent understands that the disciplinary action taken by the Division in this Stipulation and Order may adversely affect any license that Respondent may possess in another state or any application for licensure Respondent may submit in another state.

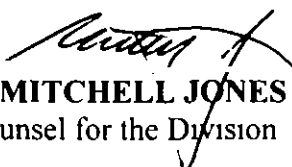
15 Respondent has read each and every paragraph contained in this Stipulation and Order. Respondent understands each and every paragraph contained in this Stipulation and Order. Respondent has no questions about any paragraph or provision contained in this Stipulation and Order.

DIVISION OF OCCUPATIONAL &
PROFESSIONAL LICENSING

BY 
RICHARD LOBORN
Bureau Manager

DATE *August 25, 2011*

MARK L. SHURTLEFF
ATTORNEY GENERAL

BY 
L. MITCHELL JONES
Counsel for the Division

DATE *25 Aug 2011*

RESPONDENT

BY 
ERIC JOHN HANSON


DATE *August 25, 2011*

ORDER

THE ABOVE STIPULATION, in the matter of **ERIC JOHN HANSON**, is hereby approved by the Division of Occupational and Professional Licensing, and constitutes my Findings of Fact and Conclusions of Law in this matter. The issuance of this Order is disciplinary action pursuant to Utah Administrative Code R156-1-102(6) and Utah Code Ann. § 58-1-401(2). The terms and conditions of the Stipulation are incorporated herein and constitute my final Order in this case.

DATED this 29 day of August, 2011

DIVISION OF OCCUPATIONAL AND
PROFESSIONAL LICENSING


MARK B. STEINAGE
Director

Investigator: Dee Thorell